DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

FEB 2 3 2008

Planning, Programs, and
Project Management Division
Environmental Planning
and Compliance Branch

PUBLIC NOTICE

WEST BANK AND VICINITY, NEW ORLEANS, LA
GREATER NEW ORLEANS HURRICANE AND STORM DAMAGE
RISK REDUCTION SYSTEM PROJECT
WESTERN TIE-IN
INDIVIDUAL ENVIRONMENTAL REPORT (IER) #16

Introduction. This Public Notice is issued in accordance with provisions of Title 33 CFR Parts 336.1(b)(1) and 337.1, which establish policy, practices, and procedures to be followed on Federal actions involving the disposal of dredged or fill material into waters of the United States.

Project Authority. Raising the level of protection in the New Orleans area was authorized mainly under Public Law (PL) 84-99; PL 109-148, Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, the Pandemic Influenza Act, 2006 (3rd Supplemental); PL 109-234, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (4th Supplemental); and PL 110-28, U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (5th Supplemental).

Location. The proposed action is located in Jefferson and St. Charles Parishes, Louisiana.

Project Description. The approximate project-area boundaries are South Kenner Road on the east (Jefferson Parish); the Davis Pond Freshwater Diversion Project Canal on the west (St. Charles Parish); South Kenner at the Union Pacific and Burlington Northern Santa Fe (BNSF) Railroad Lines and the Mississippi River on the north, and the Outer Cataouatche Canal and Davis Pond to the south. Communities near the project area include Avondale and Waggaman to the east and South Kenner to the north. With the exception of landfills on the eastern portion of the project area and some development between Hwy 90 and the Outer Cataouatche Canal, much of the study area remains undeveloped.

The project would construct a new levee alignment to a 100-year level of protection in the Western Tie-in area. All elevations are referenced to NAVD 88 (2004.65) datum. The term "100-year level of protection," refers to a level of protection that reduces the risk of hurricane surge and wave-driven flooding that the New Orleans metropolitan area experiences by a one percent chance each year.

The new levee would begin at the western end of the existing Lake Cataouatche Levee, and continue westerly along the south bank of the Outer Cataouatche Canal. The levee would then turn north and from the western end of the Outer Cataouatche Canal to the Mississippi River and generally follow the Davis Pond Diversion Project's Main East Guide Levee right-of-way (ROW). Since the previous authorized project alignment was not constructed and United States

Army Corps of Engineers (USACE) ROW was never established for this segment of the West Bank and Vicinity project, the proposed action could not be designed within existing ROW as none had been established. The western tie-in is comprised of 5 reaches: they are characterized as follows:

Reach 1 - Closure Across Outer Cataouatche Canal and Levee to Bayou Verret

Connecting to the western end of the Lake Cataouatche Levee, reach 1 originates approximately 1,200 feet south of Hwy 90 with an approximately 500 foot long, un-navigable earthen closure across the Outer Cataouatche Canal. The new closure would have a base width of approximately 500 feet and a top elevation of +15.5 feet NAVD88. The protected-side toe of the earthen closure would begin approximately 400 feet south from the southern bank of the east-west reach of the Outer Cataouatche Canal. The earthen closure would require approximately 500 feet of ROW to accommodate construction resulting in approximately 5.7 acres being disturbed for construction of which 2.3 acres would be fill placed into open water. Discharge lines from the Highway 90 Pump Station would be extended approximately 800 feet in length south to cross over the new closure so that the pumping station discharge would be on the flood side of the new alignment.

Once across the Outer Cataouatche Canal, the alignment would continue west as earthen levee with a base width of 500 feet and a top elevation of +15.5 feet NAVD88. The alignment would continue west and transition to an approximately 300-foot long floodwall on the eastern side of Bayou Verret with a top of elevation of +15.5 feet NAVD88. The floodwall would then tie into the approximately 135 feet long Bayou Verret closure structure. In the area adjacent to the new Bayou Verret closure structure, the ROW width would be expanded to 700 feet, as the increased ROW would be necessary to accommodate construction staging and access areas. The Bayou Verret closure structure itself would cross Bayou Verret on a southwesterly alignment. Within this reach, guide walls would be constructed on both the north and south ends of the closure structure within the bayou.

No decision has been made on the final design of the Bayou Verret closure structure. Possible designs for the closure structure include a sector gate, a stoplog structure, and a barge gate. All alternatives would have a usable navigation opening of approximately 56 feet and a depth of -10 ft NAVD88. The total width of the structure depends on the final design selected. However, the maximum width of the possible alternatives would be approximately 135 feet. The closure structure would remain open most of the time. In the event of a storm, the structure would be closed and remain closed until the storm has passed and emergency operations were concluded. Dredging would be necessary to provide adequate depth for structure construction. Approximately 50,000 cubic yards of material would be excavated from the Bayou Verret at the closure structure alignment and to provide approach channels on either end of the structure.

Adjacent to the Bayou Verret structure, a temporary bypass channel would be constructed to allow navigation and drainage while the closure structure was being built. The bypass channel could be on the east or west side of Bayou Verret and would be approximately -6 feet deep NAVD88, approximately 78 feet wide, and 1,000 feet long. Material excavated to construct the bypass channel would be side-cast, stockpiled on site, and then used to backfill the bypass channel when the structure was completed.

To provide access and egress for reach 1 construction, a permanent access corridor would be constructed beginning at a point approximately 1,400 feet west of the Hwy 90 access to the Lake Cataouatche Levee and continuing south to the construction area south of the Outer Cataouatche Canal. As part of this access, a permanent bridge would be constructed spanning the outer Cataouatche Canal. The bridge itself could be constructed of pre-fabricated concrete

and would be set high enough off the water surface for small recreational boats to pass underneath.

The access corridor would be approximately 100 feet wide and extend approximately 500 feet in length from Hwy 90 to the north bank of the Outer Cataouatche Canal. Continuing on approximately the same line, the permanent bridge would be approximately 100 feet wide, and span the approximately 400 feet width of the canal. South of the Outer Cataouatche Canal, the permanent access would continue the 100-foot width for an additional 300-foot length to join the work site. All woody vegetation cleared from the access corridor would be windrowed and then burned on site.

Construction access for equipment and materials to the construction site could be provided by barge access from Bayou Verret or from the permanent access corridor and bridge. Because the proposed location of the closure structure would be within the existing waterway, the structures would be constructed in a cofferdam. Due to the depth and size of the excavation, dewatering wells or well points would be continually pumped during construction to keep the area dry. Because space inside the cofferdam would be very limited, the equipment used to build the structure would be outside of the excavation on a marine plant or temporary work platform. Construction of reach 1 would require approximately 44 acres of new ROW, would permanently fill approximately 4.5 acres of open water habitat, would require the clearing, grubbing, and fill of approximately 38 acres of vegetated wetlands, and would permanently alter approximately 0.15 acres of canal bottom from the footing under a permanent bridge spanning the Outer Cataouatche Canal.

Reach 2 - Bayou Verret Closure Structure to Hwy 90 Crossing Levee

On the west side of the Bayou Verret closure structure, the alignment would continue west as floodwall with a top elevation of +15.5 feet NAVD88 for approximately 300 feet in length. The alignment would then turn northwest for a short distance and then again transition to a westerly direction to parallel the south bank of the Outer Cataouatche Canal. Along the west side of the Bayou Verret closure structure, the ROW would be expanded to 1,100 feet in width. This increased ROW width would be necessary for construction and staging areas. Within this increased ROW, an approximately 1,200 feet length of an unnamed canal that is approximately 100 feet wide would be filled.

As the alignment continues west, the floodwall would transition to a levee with a base width of 500 feet and a top of elevation of +15.5 NAVD88 for a length of approximately 9,600 feet. The most northern 100 feet of this 500 foot width along the entire 9,600 foot length of the levee comprise the Davis Pond guide levee. The existing guide levee would be incorporated into the new levee. In additional to the 500-foot levee width, an additional 100 feet of ROW would be required on the flood side throughout the 9,600 feet length to construct de-watering cells. The de-watering cells would be built on the south side of the levee and would be necessary to keep the levee construction area de-watered while the Davis Pond Diversion Structure operates throughout the construction period. Once construction activities are completed material with the 100 ft width of the de-watering cell would be leveled to wetlands elevations. The area should naturally revegetate.

At the western end of the 9,600-foot length, the levee would then turn north for a length of approximately 800 feet crossing the Outer Cataouatche Canal and approaching Hwy 90. The canal crossing would form a second permanent closure of the Outer Cataouatche Canal (the reach 1 closure was the first). This closure would also be used as an access point during

construction activities. With the construction of the closure the wetlands located immediately west of the closure would no longer have hydrologic connection to the Outer Cataouatche Canal. That area is bounded by Hwy 90 to the north, the Davis Pond East Main guide levee to the west and the Davis Pond east guide levee to the south. With the construction of the closure the wetlands to the east would be completely enclosed. To ensure continued water exchange to this area an opening would be cut into the Davis Pond east guide levee on the southern boundary of the area. The opening would be approximately 50 ft wide and would be to a depth of 0 NAVD88. The opening would be reinforced with scour protection. North of the Outer Cataouatche Canal, the levee would transition to a floodwall, approximately 300 feet in length, turn 90-degrees to the west, and continue westward parallel Hwy 90.

An unnamed drainage canal, parallel to, and approximately 500 feet to the east of the floodwall would be enlarged between Hwy 90 and the Outer Cataouatche Canal. The enlarged canal would tie into an existing (or replacement) culvert that passes under Hwy 90. The drainage canal would be enlarged from the existing 20-foot width to approximately 100 feet wide and 10 feet deep.

Within reach 2, two temporary access corridors with temporary bridges, a permanent access corridor and permanent bridge, and two temporary staging areas would be constructed. The temporary and permanent access corridors and temporary staging areas would be located between Hwy 90 and the north bank of the Outer Cataouatche Canal. The first temporary bridge, access corridor and staging area would originate approximately 300 feet west of Sellers Canal on the south side of Hwy 90. The staging areas would be south of Hwy 90 and north of the Outer Cataouatche Canal and would be approximately 200 feet wide by 400 feet long. The access corridor between Hwy 90 and the Outer Cataouatche Canal would be approximately 100 feet wide by 500 feet long and the bridge would span the Outer Cataouatche Canal immediately south of the access corridor. All woody vegetation within the footprint of these areas would be cleared, grubbed, windrowed, and burned in place. The temporary bridge would be used to transport construction equipment and materials to and from the construction area south of the Outer Cataouatche Canal. Bridge design has not been completed, but would include an approximately 40-foot opening to allow navigation during the construction period. Advanced notice would be required to deploy the opening.

A second temporary access corridor and temporary bridge would originate on Hwy 90 approximately 4,300 feet west of the first temporary staging area; the bridge would span the Outer Cataouatche Canal immediately south of the access corridor. The staging area would be approximately 100 feet wide by 500 feet long. The permanent access area and permanent bridge would similarly extend south from Hwy 90 originating approximately 1,000 feet east of the western termination of the Outer Cataouatche Canal. The access area would be approximately 120 feet wide by 500 feet long and an approximately 60 foot wide, permanent bridge would span the Outer Cataouatche Canal at this location. The bridge would be set high enough off the water surface for small recreational boats to pass underneath.

Construction of reach 2 would require approximately 145 acres of new ROW, would create approximately 1 acre of aquatic habitat (canal widening), would permanently fill approximately 7.4 acres of open water habitat, would require the clearing, grubbing, and fill of approximately 143 acres of vegetated wetlands, and would permanently alter approximately 0.1 acres of canal bottom from the footing under a permanent bridge spanning the Outer Cataouatche Canal. Construction would also occur on approximately 22 acres of existing Davis Pond Freshwater Diversion guide levee ROW.

Reach 3 – Hwy 90 Crossing

The floodwall that had paralleled Hwy 90 in the end of reach 2 would turn north on a 90-degree angle and continue another 800 feet in length crossing Hwy 90. The intersection of the highway and floodwall would be constructed by raising the highway approaches over the +15.5 foot NAVD88 profile to have an elevated crossing of the floodwall. The roadway's grade change for crossing the floodwall would be very gradual to allow the safe flow of traffic; the transition would be approximately 2,000 feet long in both directions and require a 2.04 percent grade. The roadway would include a median, four 12-foot lanes, two 10-foot shoulders and a cross slope of 0.025 ft/ft away from the median. This design would not impede the proposed I-49 elevated highway construction through this reach as the bottom girders of the raised highway would be designed to be above the floodwall for the full width of the highway. This reach would also include pipeline crossings.

Elevating Hwy 90 over the floodwall was recommended, rather than providing a closure gate, because of the importance of keeping Hwy 90 open to traffic during hurricane evacuation. Traffic would be maintained during levee construction by the construction and use of a temporary bypass roadway. The temporary roadway, or lane detour would be a four-lane shift to the north, but entirely within the existing Hwy 90 ROW.

Construction of reach 3 would require approximately 10.2 acres of new ROW and would require the clearing, grubbing, and fill of approximately 1 acre of vegetated wetlands. The remaining 9 acre of impacts would occur on the existing Hwy 90 road surface.

Reach 4 – Hwy 90 Crossing to Davis Pond Diversion Control Structure

North of Hwy 90, the floodwall would continue for approximately 200 feet in length, turn 90 degrees west for approximately 100 feet in length with a width of disturbance of approximately 500 feet. At the end of the floodwall, the alignment would transition to an earthen levee with a base width of 300 feet and a top elevation of +13.5 NAVD88. The levee would extend approximately 2,700 feet long in a west northwesterly direction. The drainage canal enlargement that began south of Hwy 90 would continue in this reach initially paralleling and offsetting the floodwall alignment by approximately 500 feet and then turning west northwesterly and paralleling the protected-side levee toe for the entire 2,700-foot length. The drainage canal would be approximately 100 feet wide and 10 ft deep.

Construction of reach 4 would require approximately 29 acres of new ROW and would require the clearing, grubbing, and fill of approximately 22 acres of vegetated wetlands. An additional 6.75 acres of vegetated wetlands would be excavated to create 6.75 acres of new open water (drainage canal) habitat.

Reach 5 – Levee on East Side of the Davis Pond Diversion Project to Mississippi River Levee

When the alignment reaches the Davis Pond Freshwater Diversion Canal's eastern construction ROW, the levee would turn north and run parallel to the Davis Pond Diversion Project's Main East Guide Levee to the BNSF Railroad. The existing guide levee would be incorporated into the new levee. The new levee would be constructed to +13.5 ft NAVD88 for a distance of approximately 1,300 feet. The centerline of the proposed levee would be offset a minimum of 120 feet from the existing canal bank, but would be within the Davis Pond

Freshwater Diversion Canal's previously disturbed ROW. The width of the ROW for the levee in this section would be approximately 500 feet for the entire 1,300-foot length to the railroad crossing. This construction would occur within an area of previous disturbance.

At the BNSF Railroad crossing, the alignment would transition to floodwall of approximately +13.5 feet NAVD88 for a distance of approximately 150 feet and require 400 feet of construction ROW for the construction of the railroad closure structure. The closure structure would be constructed of structural steel and covered with a steel skin plate. On the north side of the BNSF Railroad crossing, the alignment would again return to a levee of +13.5 feet NAVD88 for the remaining distance (approximately 3,000 feet). The width of the construction ROW would be approximately 500 feet over the entire distance. This construction would occur within the previously disturbed Davis Pond Freshwater Diversion Canal ROW.

At the northern end of the alignment, the Levee would transition to floodwall and closure structures (e.g., roller gate) to cross the Union-Pacific Railroad track, River Road (with a closure structure), and terminate by tying into high ground at the Mississippi River Levee in St. Charles Parish. This section would require a 400-foot construction ROW over the approximately 600-foot length of the section, but would be within the previously disturbed Davis Pond Freshwater Diversion Canal ROW, the ROW for River Road, or the Mississippi River Levee ROW. Construction of reach 5 would require less than 5 acres of new construction ROW as the majority of the footprint of disturbance is already designated as Corps ROW. There would be no clearing, grubbing, or fill of wetlands, as this reach would utilize previously disturbed areas.

In total, construction of the project would require approximately 233 acres of new ROW, approximately 204 acres of vegetated wetlands would be cleared, grubbed, and filled, approximately 7.8 acres of aquatic (open water) habitat would be created and approximately 12 acres of aquatic habitat would be filled. Submerged aquatic vegetation (SAV) would be impacted during construction throughout the 12 acres. Construction of the footings for the permanent bridges spanning the Outer Cataouatche Canal would permanently alter approximately 0.25 acres of canal bottom, and the western tie-in would enclose approximately 2,750 acres of wetlands within the WBV portion of the Greater New Orleans Hurricane Storm Damage Risk Reduction System. Approximately 2,485 of those 2,750 acres of wetlands were previously segmented by the construction of Hwy 90, and the BNSF and Union Pacific railroads.

Discharges by Others. No discharges are anticipated by others.

Other Information. On August 29, 2005, Hurricane Katrina caused major damage to the Federal and non-Federal flood control and storm damage risk reduction systems in Southeast Louisiana. Hurricane Rita followed this storm on September 24, 2005, and made landfall on the Louisiana-Texas state border, causing damage to the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (GNOHSDRRS) (formerly known as the Hurricane Protection System) in southern Louisiana. Since the storms, the USACE has been working with state and local officials to restore the Federal and non-Federal flood control and GNOHSDRRS and related works in the affected area.

To date, approximately 60 percent or less of the New Orleans population has returned to the area. Many residents and businesses are waiting to see positive improvements in the level of protection before returning to the area. A USACE goal of June 2011 has been set for completion of much of the work that will raise the level of protection in the New Orleans area to a new standard and provide a level of security to residents and businesses that will allow and encourage

them to return to the area. Federal flood protection eligibility requires 100-year level of protection.

Properties Adjacent to Disposal Sites. The proposed action is adjacent to presently developed and undeveloped lands, waterways, and the Davis Pond Freshwater Diversion Canal.

Status of the Individual Environmental Report (IER) and Other Environmental Documents. IER #16 is currently under development and is being prepared to address the proposed action and alternatives for this reach of the WBV project in accordance with the National Environmental Policy Act (NEPA) of 1969 and the President's Council on Environmental Quality's (CEQ) Regulations (40 CFR §1500-1508), as reflected in the USACE Engineering Regulation, ER 200-2-2. The execution of an IER, in lieu of a traditional Environmental Assessment (EA) or Environmental Impact Statement (EIS), is provided for in ER 200-2-2, Environmental Quality (33 CFR §230) Procedures for Implementing the NEPA and pursuant to the CEQ NEPA Implementation Regulations (40 CFR §1506.11). The Alternative Arrangements can be found at www.nolaenvironmental.gov. The CEMVN implemented Alternative Arrangements on March 13, 2007, in coordination with CEQ. This process was implemented to expeditiously complete environmental analyses for any changes to the authorized system and the 100-year level of the GNOHSDRRS authorized and funded by Congress and the Administration. The proposed actions are located in southeastern Louisiana and are part of the Federal effort to rebuild and complete construction of the GNOHSDRRS in the New Orleans Metropolitan area as a result of Hurricanes Katrina and Rita.

Environmental compliance for the proposed action would be achieved upon: coordination of the draft IER with appropriate agencies, organizations, and individuals for their review and comments; U.S. Fish and Wildlife Service and National Marine Fisheries Service confirmation that the proposed action would not be likely to adversely affect any endangered or threatened species; Louisiana Department of Natural Resources concurrence with the determination that the proposed action is consistent, to the maximum extent practicable, with the Louisiana Coastal Resources Program; receipt of a Water Quality Certification from the State of Louisiana; public review of the Section 404(b)(1) Public Notice; signature of the Section 404(b)(1) Evaluation; receipt of the Louisiana State Historic Preservation Office Determination of No Affect on cultural resources; receipt and acceptance or resolution of all USFWS Fish and Wildlife Coordination Act recommendations; and receipt and acceptance or resolution of all NMFS Essential Fish Habitat recommendations. The IER decision record would not be signed until the proposed action achieves environmental compliance with applicable laws and regulations.

Coordination. The following is a partial list of agencies to which a copy of this notice is being sent:

U.S. Department of the Interior, Fish and Wildlife Service
U.S. Department of the Interior, National Park Service
U.S. Environmental Protection Agency, Region VI
U.S. Department of Commerce, NOAA National Marine Fisheries Service
U.S. Natural Resources Conservation Service
Louisiana Advisory Council on Historic Preservation
Governor's Executive Assistant for Coastal Activities
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Natural Resources, Coastal Management Division
Louisiana Department of Natural Resources, Coastal Restoration Division
Louisiana Department of Environmental Quality

Louisiana State Historic Preservation Office

This notice is being distributed to these and other appropriate Congressional, Federal, state, and local interests, environmental organizations, and other interested parties.

Evaluation Factors. Evaluation includes application of the Section 404(b)(1) guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency, through 40 CFR 230.

Public Involvement. Extensive public involvement has been sought in preparing this IER. The projects analyzed in this IER were publicly disclosed and described in the Federal Register on March 13, 2007, and on the website www.nolaenvironmental.gov. Scoping for this project was initiated on March 12, 2007, through advertisements and public notices placed in USA Today and The New Orleans Times-Picayune. Nine public scoping meetings were held throughout the New Orleans Metropolitan area to explain the scope and process of the Alternative Arrangements for implementing NEPA between March 27 and April 12, 2007, after which a 30-day scoping period was open for public comment submission. Project specific meetings were also held on 19 July and 19 September 2007, 15 January, 25 March, 15 May, 22 July and 19 November 2008. Additionally, CEMVN has continued to host monthly public meetings to keep the stakeholders advised of project status. The public has been able to provide verbal comments during the meetings and written comments at any time in person, by mail, and via www.nolaenvironmental.gov. All comments postmarked on or before the expiration of the comment period for this notice will be considered.

Any person who has an interest that may be affected by deposition of excavated or dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the proposed action.

You are requested to communicate the information contained in this notice to any parties who may have an interest in the proposed action.

For further information regarding the proposed action, please contact Mr. Gib A. Owen at (504) 862-1337, FAX (504) 862-2088, or Gib.A.Owen@usace.army.mil.

Joan M Exnicios

Joan Exnicios
Acting Chief, Environmental Planning
and Compliance Branch

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: MAR 25 2009

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PUBLIC NOTICE

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Location. The proposed action is located in Jefferson and St. Charles Parishes, Louisiana.

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Army Corps of Engineers (USACE) ROW was never established for this segment of the West Bank and Vicinity project, the proposed action could not be designed within existing ROW as none had been established. The western tie-in is comprised of 5 reaches: they are characterized as follows:

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Once across the Outer Cataouatche Canal, the alignment would continue west as earthen levee with a base width of 500 feet and a top elevation of +15.5 feet NAVD88. The alignment would continue west and transition to an approximately 300-foot long floodwall on the eastern side of Bayou Verret with a top of elevation of +15.5 feet NAVD88. The floodwall would then tie into the approximately 135 feet long Bayou Verret closure structure. In the area adjacent to the new Bayou Verret closure structure, the ROW width would be expanded to 700 feet, as the increased ROW would be necessary to accommodate construction staging and access areas. The Bayou Verret closure structure itself would cross Bayou Verret on a southwesterly alignment. Within this reach, guide walls would be constructed on both the north and south ends of the closure structure within the bayou.

No decision has been made on the final design of the Bayou Verret closure structure. Possible designs for the closure structure include a sector gate, a stoplog structure, and a barge gate. All alternatives would have a usable navigation opening of approximately 56 feet and a depth of -10 ft NAVD88. The total width of the structure depends on the final design selected. However, the maximum width of the possible alternatives would be approximately 135 feet. The closure structure would remain open most of the time. In the event of a storm, the structure would be closed and remain closed until the storm has passed and emergency operations were concluded. Dredging would be necessary to provide adequate depth for structure construction. Approximately 50,000 cubic yards of material would be excavated from the Bayou Verret at the closure structure alignment and to provide approach channels on either end of the structure. The approximately 50,000 cubic yards of material excavated during the construction and maintenance of the Bayou Verret approach channel and the bypass channel would be placed within the project ROW in the construction staging and access areas located east and west of the Bayou Verret Structure. Maintenance dredging of the Bayou Verret approach channels and the bypass channel is anticipated to be infrequent and would require less than 1,000 cubic yards removed during an event.

Adjacent to the Bayou Verret structure, a bypass channel would be constructed to allow navigation and drainage while the closure structure was being built. The bypass channel could be on the east or west side of Bayou Verret and would be approximately -6 feet deep NAVD88, approximately 78 feet wide, and 1,000 feet long. Material excavated to construct the bypass channel would be placed in the construction ROW.

In addition to the Bayou Verret closure structure an additional 110 sq ft of combined cross sectional area will be incorporated into the project design. Initial hydraulics and hydrologic (H&H) analysis indicated the cross sectional area of the Bayou Verret closure structure would provide adequate cross sectional area to meet the combined cross sectional area of the existing openings under Hwy 90. The results of supplemental H&H analysis indicated that the project as initially proposed would not provide adequate cross section to meet combined cross sectional area of the pre-construction openings under Hwy 90. Additional water control structures constructed to provide110 sq ft of cross section will be built entirely within the previously identified ROW. The structures will be incorporated either immediately adjacent to the closure structure or in the proposed bypass channel.

In addition to the Outer Cataouatche Canal closure that will be used for access and egress, a permanent access corridor would be constructed beginning at a point approximately 1,400 feet west of the Hwy 90 access to the Lake Cataouatche Levee and continuing south to the construction area south of the Outer Cataouatche Canal. As part of this access, a permanent bridge would be constructed spanning the outer Cataouatche Canal. The bridge itself could be constructed of pre-fabricated concrete and would be set high enough off the water surface for small recreational boats to pass underneath.

The access corridor would be approximately 100 feet wide and extend approximately 500 feet in length from Hwy 90 to the north bank of the Outer Cataouatche Canal. Continuing on approximately the same line, the permanent bridge would be approximately 100 feet wide, and span the approximately 400 feet width of the canal. South of the Outer Cataouatche Canal, the permanent access would continue the 100-foot width for an additional 300-foot length to join the work site. Woody vegetation generated during construction activities would be windrowed and burned on site, or removed for off site disposal or beneficial reuse.

Construction access for equipment and materials to the construction site could be provided by barge access from Bayou Verret or from the permanent access corridor and bridge. Because the proposed location of the closure structure would be within the existing waterway, the structures would be constructed in a cofferdam. Due to the depth and size of the excavation, dewatering wells or well points would be continually pumped during construction to keep the area dry. Because space inside the cofferdam would be very limited, the equipment used to build the structure would be outside of the excavation on a marine plant or temporary work platform. Construction of reach 1 would require approximately 44 acres of new ROW, would permanently fill approximately 4.5 acres of open water habitat, would require the clearing, grubbing, and fill of approximately 38 acres of vegetated wetlands, and would permanently alter approximately 0.15 acres of canal bottom from the footing under a permanent bridge spanning the Outer Cataouatche Canal.

Reach 2 - Bayou Verret Closure Structure to Hwy 90 Crossing Levee

On the west side of the Bayou Verret closure structure, the alignment would continue west as floodwall with a top elevation of +15.5 feet NAVD88 for approximately 300 feet in length. The alignment would then turn northwest for a short distance and then again transition to a westerly direction to parallel the south bank of the Outer Cataouatche Canal. Along the west side of the Bayou Verret closure structure, the ROW would be expanded to 1,100 feet in width. This increased ROW width would be necessary for construction and staging areas. Within this increased ROW, an approximately 1,200 feet length of an unnamed canal that is approximately 100 feet wide would be filled.

As the alignment continues west, the floodwall would transition to a levee with a base width of 500 feet and a top of elevation of +15.5 NAVD88 for a length of approximately 9,600 feet. The most northern 100 feet of this 500 foot width along the entire 9,600 foot length of the levee comprise the Davis Pond guide levee. The existing guide levee would be incorporated into the new levee. In additional to the 500-foot levee width, an additional 100 feet of ROW would be required on the flood side throughout the 9,600 feet length to construct de-watering cells. The de-watering cells would be built on the south side of the levee and would be necessary to keep the levee construction area de-watered while the Davis Pond Diversion Structure operates throughout the construction period. Once construction activities are completed material with the 100 ft width of the de-watering cell would be leveled to wetlands elevations. The area should naturally revegetate.

At the western end of the 9,600-foot length, the levee would then turn north for a length of approximately 800 feet crossing the Outer Cataouatche Canal and approaching Hwy 90. The canal crossing would form a second permanent closure of the Outer Cataouatche Canal (the reach 1 closure was the first). This closure would also be used as an access point during construction activities. With the construction of the closure the wetlands located immediately west of the closure would no longer have hydrologic connection to the Outer Cataouatche Canal. That area is bounded by Hwy 90 to the north, the Davis Pond East Main guide levee to the west and the Davis Pond east guide levee to the south. With the construction of the closure the wetlands to the east would be completely enclosed. To ensure continued water exchange to this area an opening would be cut into the Davis Pond east guide levee on the southern boundary of the area. The opening would be approximately 50 ft wide and would be to a depth of 0 NAVD88. The material generated from the construction of the cut would be placed adjacent to the cut on the guide levee. The exact location of the cut has not been identified; the cut would be located to avoid existing utility crossings. The opening would be reinforced with scour protection. North of the Outer Cataouatche Canal, the levee would transition to a floodwall, approximately 300 feet in length, turn 90-degrees to the west, and continue westward parallel Hwy 90.

An unnamed drainage canal, parallel to, and approximately 500 feet to the east of the floodwall would be enlarged between Hwy 90 and the Outer Cataouatche Canal. The enlarged canal would tie into an existing (or replacement) culvert that passes under Hwy 90. The drainage canal would be enlarged from the existing 20-foot width to approximately 100 feet wide and 10 feet deep.

Within reach 2, two temporary access corridors with temporary bridges, a permanent access corridor and permanent bridge, and two temporary staging areas would be constructed. The temporary and permanent access corridors and temporary staging areas would be located between Hwy 90 and the north bank of the Outer Cataouatche Canal. The first temporary bridge, access corridor and staging area would originate approximately 300 feet west of Sellers Canal on the south side of Hwy 90. The staging areas would be south of Hwy 90 and north of the Outer Cataouatche Canal and would be approximately 200 feet wide by 400 feet long. The access corridor between Hwy 90 and the Outer Cataouatche Canal would be approximately 100 feet wide by 500 feet long and the bridge would span the Outer Cataouatche Canal immediately south of the access corridor. Woody vegetation generated during construction activities would be windrowed and burned on site, or removed for off site disposal or beneficial reuse. The temporary bridge would be used to transport construction equipment and materials to and from the construction area south of the Outer Cataouatche Canal. Bridge design has not been completed, but would include an approximately 40-foot opening to allow navigation during the construction period. Advanced notice would be required to deploy the opening.

A second temporary access corridor and temporary bridge would originate on Hwy 90 approximately 4,300 feet west of the first temporary staging area; the bridge would span the Outer Cataouatche Canal immediately south of the access corridor. The staging area would be approximately 100 feet wide by 500 feet long. The permanent access area and permanent bridge would similarly extend south from Hwy 90 originating approximately 1,000 feet east of the western termination of the Outer Cataouatche Canal. The access area would be approximately 120 feet wide by 500 feet long and an approximately 60 foot wide, permanent bridge would span the Outer Cataouatche Canal at this location. The bridge would be set high enough off the water surface for small recreational boats to pass underneath.

Construction of reach 2 would require approximately 145 acres of new ROW, would create approximately 1 acre of aquatic habitat (canal widening), would permanently fill approximately 7.4 acres of open water habitat, would require the clearing, grubbing, and fill of approximately 143 acres of vegetated wetlands, and would permanently alter approximately 0.1 acres of canal bottom from the footing under a permanent bridge spanning the Outer Cataouatche Canal. Construction would also occur on approximately 22 acres of existing Davis Pond Freshwater Diversion guide levee ROW.

Reach 3 – Hwy 90 Crossing

The floodwall that had paralleled Hwy 90 in the end of reach 2 would turn north on a 90-degree angle and continue another 800 feet in length crossing Hwy 90. The intersection of the highway and floodwall would be constructed by raising the highway approaches over the +15.5 foot NAVD88 profile to have an elevated crossing of the floodwall. The roadway's grade change for crossing the floodwall would be very gradual to allow the safe flow of traffic; the transition would be approximately 2,000 feet long in both directions and require a 2.04 percent grade. The roadway would include a median, four 12-foot lanes, two 10-foot shoulders and a cross slope of 0.025 ft/ft away from the median. This design would not impede the proposed I-49 elevated highway construction through this reach as the bottom girders of the raised highway would be designed to be above the floodwall for the full width of the highway. This reach would also include pipeline crossings.

Elevating Hwy 90 over the floodwall was recommended, rather than providing a closure gate, because of the importance of keeping Hwy 90 open to traffic during hurricane evacuation. Traffic would be maintained during levee construction by the construction and use of a temporary bypass roadway. The temporary roadway or lane detour would be a four-lane shift to the north, but entirely within the existing Hwy 90 ROW.

Construction of reach 3 would require approximately 10.2 acres of new ROW and would require the clearing, grubbing, and fill of approximately 1 acre of vegetated wetlands. The remaining 9 acre of impacts would occur on the existing Hwy 90 road surface.

Reach 4 – Hwy 90 Crossing to Davis Pond Diversion Control Structure

North of Hwy 90, the floodwall would continue for approximately 200 feet in length, turn 90 degrees west for approximately 100 feet in length with a width of disturbance of approximately 500 feet. At the end of the floodwall, the alignment would transition to an earthen levee with a base width of 300 feet and a top elevation of +13.5 NAVD88. The levee would

extend approximately 2,700 feet long in a west northwesterly direction. The drainage canal enlargement that began south of Hwy 90 would continue in this reach initially paralleling and offsetting the floodwall alignment by approximately 500 feet and then turning west northwesterly and paralleling the protected-side levee toe for the entire 2,700-foot length. The drainage canal would be approximately 100 feet wide and 10 ft deep.

Construction of reach 4 would require approximately 29 acres of new ROW and would require the clearing, grubbing, and fill of approximately 22 acres of vegetated wetlands. An additional 6.75 acres of vegetated wetlands would be excavated to create 6.75 acres of new open water (drainage canal) habitat.

Reach 5 – Levee on East Side of the Davis Pond Diversion Project to Mississippi River Levee

When the alignment reaches the Davis Pond Freshwater Diversion Canal's eastern construction ROW, the levee would turn north and run parallel to the Davis Pond Diversion Project's Main East Guide Levee to the BNSF Railroad. The existing guide levee would be incorporated into the new levee. The new levee would be constructed to +13.5 ft NAVD88 for a distance of approximately 1,300 feet. The centerline of the proposed levee would be offset a minimum of 120 feet from the existing canal bank, but would be within the Davis Pond Freshwater Diversion Canal's previously disturbed ROW. The width of the ROW for the levee in this section would be approximately 500 feet for the entire 1,300-foot length to the railroad crossing. This construction would occur within an area of previous disturbance.

At the BNSF Railroad crossing, the alignment would transition to floodwall of approximately +13.5 feet NAVD88 for a distance of approximately 150 feet and require 400 feet of construction ROW for the construction of the railroad closure structure. The closure structure would be constructed of structural steel and covered with a steel skin plate. On the north side of the BNSF Railroad crossing, the alignment would again return to a levee of +13.5 feet NAVD88 for the remaining distance (approximately 3,000 feet). The width of the construction ROW would be approximately 500 feet over the entire distance. This construction would occur within the previously disturbed Davis Pond Freshwater Diversion Canal ROW.

At the northern end of the alignment, the Levee would transition to floodwall and closure structures (e.g., roller gate) to cross the Union-Pacific Railroad track, River Road (with a closure structure), and terminate by tying into high ground at the Mississippi River Levee in St. Charles Parish. This section would require a 400-foot construction ROW over the approximately 600-foot length of the section, but would be within the previously disturbed Davis Pond Freshwater Diversion Canal ROW, the ROW for River Road, or the Mississippi River Levee ROW. During construction of the closure structures on River Road (Hwy 18) a traffic bypass detour would be constructed south and parallel to River Road, and a second emergency bypass route would be constructed on the north side of River Road, adjacent to the Mississippi River Levee. To construct the traffic detour road an area less than 0.25 acres would be graded, filled with earthen material and then surfaced with asphalt. The emergency bypass route would also be graded, filled with earthen material and surfaced with asphalt. The area impacted would be less than 0.25 acres. The emergency bypass route would include two ramps. The ramps would be constructed from River Road up the sloping shoulder of River Road to ensure a smooth transition from River Road to the shoulder which is located on the toe of the Mississippi River Levee. The ramps would be constructed east and west of the railroad closure structure.

Construction of reach 5 would require less than 5 acres of new construction ROW as the majority of the footprint of disturbance is already designated as Corps ROW. There would be no clearing, grubbing, or fill of wetlands, as this reach would utilize previously disturbed areas. The proposed traffic detour road and emergency bypass route area are located within previously designated and disturbed River Road or Mississippi River Levee ROW. Material used to construct the detour road and bypass route would be hauled in from off site or would be purchased from a commercial source. Approximately 1,300 cu of earthen fill and 180 toms of asphalt would be require for the detour road and bypass route and ramp construction

In total, construction of the project would require approximately 233 acres of new ROW, approximately 204 acres of vegetated wetlands would be cleared, grubbed, and filled, approximately 7.8 acres of aquatic (open water) habitat would be created and approximately 10 acres of aquatic habitat would be filled. Submerged aquatic vegetation (SAV) would be impacted during construction throughout the 12 acres. Construction of the footings for the permanent bridges spanning the Outer Cataouatche Canal would permanently alter approximately 0.25 acres of canal bottom, and the western tie-in would enclose approximately 2,750 acres of wetlands within the WBV portion of the Greater New Orleans Hurricane Storm Damage Risk Reduction System. Approximately 2,485 of those 2,750 acres of wetlands were previously segmented by the construction of Hwy 90, and the BNSF and Union Pacific railroads.

Reaches 1 through 4 would include geotextile fabric into levee design.

Discharges by Others. No discharges are anticipated by others.

Other Information. On August 29, 2005, Hurricane Katrina caused major damage to the Federal and non-Federal flood control and storm damage risk reduction systems in Southeast Louisiana. Hurricane Rita followed this storm on September 24, 2005, and made landfall on the Louisiana-Texas state border, causing damage to the Hurricane and Storm Damage Risk Reduction System (HSDRRS) (formerly known as the Hurricane Protection System) in southern Louisiana. Since the storms, the USACE has been working with state and local officials to restore the Federal and non-Federal flood control and HSDRRS and related works in the affected area.

To date, approximately 60 percent or less of the New Orleans population has returned to the area. Many residents and businesses are waiting to see positive improvements in the level of protection before returning to the area. A USACE goal of June 2011 has been set for completion of much of the work that will raise the level of protection in the New Orleans area to a new standard and provide a level of security to residents and businesses that will allow and encourage them to return to the area. Federal flood protection eligibility requires 100-year level of protection.

Properties Adjacent to Disposal Sites. The proposed action is adjacent to presently developed and undeveloped lands, waterways, and the Davis Pond Freshwater Diversion Canal.

Status of the Individual Environmental Report (IER) and Other Environmental Documents. IER #16 has been prepared to address the proposed action and alternatives for this reach of the WBV project in accordance with the National Environmental Policy Act (NEPA) of 1969 and the President's Council on Environmental Quality's (CEQ) Regulations (40 CFR §1500-1508), as reflected in the USACE Engineering Regulation, ER 200-2-2. The execution of an IER, in lieu of a traditional Environmental Assessment (EA) or Environmental Impact Statement (EIS), is provided for in ER 200-2-2, Environmental Quality (33 CFR §230) Procedures for

Implementing the NEPA and pursuant to the CEQ NEPA Implementation Regulations (40 CFR §1506.11). The Alternative Arrangements can be found at www.nolaenvironmental.gov. The CEMVN implemented Alternative Arrangements on March 13, 2007, in coordination with CEQ. This process was implemented to expeditiously complete environmental analyses for any changes to the authorized system and the 100-year level of the HSDRRS authorized and funded by Congress and the Administration. The proposed actions are located in southeastern Louisiana and are part of the Federal effort to rebuild and complete construction of the HSDRRS in the New Orleans Metropolitan area as a result of Hurricanes Katrina and Rita.

Environmental compliance for the proposed action would be achieved upon: coordination of the draft IER with appropriate agencies, organizations, and individuals for their review and comments; U.S. Fish and Wildlife Service and National Marine Fisheries Service confirmation that the proposed action would not be likely to adversely affect any endangered or threatened species; Louisiana Department of Natural Resources concurrence with the determination that the proposed action is consistent, to the maximum extent practicable, with the Louisiana Coastal Resources Program; receipt of a Water Quality Certification from the State of Louisiana; public review of the Section 404(b)(1) Public Notice; signature of the Section 404(b)(1) Evaluation; receipt of the Louisiana State Historic Preservation Office Determination of No Affect on cultural resources; receipt and acceptance or resolution of all USFWS Fish and Wildlife Coordination Act recommendations; and receipt and acceptance or resolution of all NMFS Essential Fish Habitat recommendations. The IER decision record would not be signed until the proposed action achieves environmental compliance with applicable laws and regulations.

Coordination. The following is a partial list of agencies to which a copy of this notice is being sent:

U.S. Department of the Interior, Fish and Wildlife Service
U.S. Department of the Interior, National Park Service
U.S. Environmental Protection Agency, Region VI
U.S. Department of Commerce, NOAA National Marine Fisheries Service
U.S. Natural Resources Conservation Service
Louisiana Advisory Council on Historic Preservation
Governor's Executive Assistant for Coastal Activities
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Natural Resources, Coastal Management Division
Louisiana Department of Natural Resources, Coastal Restoration Division
Louisiana Department of Environmental Quality
Louisiana State Historic Preservation Office

This notice is being distributed to these and other appropriate Congressional, Federal, state, and local interests, environmental organizations, and other interested parties.

Evaluation Factors. Evaluation includes application of the Section 404(b)(1) guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency, through 40 CFR 230.

Public Involvement. Extensive public involvement has been sought in preparing this IER. The projects analyzed in this IER were publicly disclosed and described in the Federal Register on March 13, 2007, and on the website www.nolaenvironmental.gov. Scoping for this project was initiated on March 12, 2007, through advertisements and public notices placed in USA Today and The New Orleans Times-Picayune. Nine public scoping meetings were held

throughout the New Orleans Metropolitan area to explain the scope and process of the Alternative Arrangements for implementing NEPA between March 27 and April 12, 2007, after which a 30-day scoping period was open for public comment submission. Project specific meetings were also held on 19 July and 19 September 2007, 15 January, 25 March, 15 May, 22 July and 19 November 2008. Additionally, CEMVN has continued to host monthly public meetings to keep the stakeholders advised of project status. The public has been able to provide verbal comments during the meetings and written comments at any time in person, by mail, and via www.nolaenvironmental.gov. All comments postmarked on or before the expiration of the comment period for this notice will be considered.

Any person who has an interest that may be affected by deposition of excavated or dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the proposed action.

You are requested to communicate the information contained in this notice to any parties who may have an interest in the proposed action.

For further information regarding the proposed action, please contact Mr. Gib A. Owen at (504) 862-1337, FAX (504) 862-2088, or Gib.A.Owen@usace.army.mil.

Joan Exnicios

Joan Exnicios
Acting Chief, Environmental Planning
and Compliance Branch

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: MAY 30 2009